

REMARKS

I. Summary of Office Action

Claims 1-79 are pending in the above-identified application.

Claim 21 is objected to due to informalities.

Claims 1, 2, 4-5, 7, 18-22, 24-25, 27, 38-42, 44-45, 47, 58-62, 64-65, 67, and 78-79 are rejected under 35 U.S.C. § 102(e) as being anticipated by Shah-Nazaroff et al. (U.S. Patent No. 6,157,377).

Claims 3, 23, 43, and 63 are rejected under 35 U.S.C 103(a) as being unpatentable over Shah-Nazaroff et al. in view of Hofmann (U.S. Patent No. 5,883,677).

Claims 6, 26, 46, and 66 are rejected under 35 U.S.C 103(a) as being unpatentable over Shah-Nazaroff et al. in view of Matthews, III (U.S. Patent No. 5,815,145).

Claims 8, 9, 13, 28, 29, 33, 48, 49, 53, 68, 69, and 73 are rejected under 35 U.S.C 103(a) as being unpatentable over Shah-Nazaroff et al. in view of Banker (U.S. Patent No. 5,485,221).

Claims 10, 30, 50, and 70 are rejected under 35 U.S.C 103(a) as being unpatentable over Shah-Nazaroff et al. in view of Lett (U.S. Patent No. 5,771,064).

Claims 11, 12, 31, 32, 51, 52, 71, and 72 are rejected under 35 U.S.C 103(a) as being unpatentable over Shah-Nazaroff et al. in view of Lewis (U.S. Patent Application No. 2003/0040962).

Claims 14, 15, 34, 35, 54, 55, 74, and 75 are rejected under 35 U.S.C 103(a) as being unpatentable over Shah-Nazaroff et al. in view of Aristides (U.S. Patent No. 5,630,119).

Claims 16, 36, 56, and 76 are rejected under 35 U.S.C 103(a) as being unpatentable over Shah-Nazaroff et al. in view of Rosin (U.S. Patent No. 6,028,600).

Claims 17, 37, 57, and 77 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shah-Nazaroff et al. in view of Hooper (U.S. Patent No. 5,414,455).

II. Summary of Applicant's Reply

Claim 21 is amended to obviate the informality objection. Applicant respectfully traverses the Examiner's rejections over Shah-Nazaroff et al.

II. The Shah-Nazaroff et al. Rejections

Applicant's invention, as recited in independent claims 1, 21, 41, and 61, is directed to a method, systems, and computer-readable media for providing on-demand media data and non-on-demand data to a user. The on-demand media data is automatically cached from an on-demand media data source, and the cached on-demand data is displayed to a user in response to a user indication to access the on-demand media data.

Shah-Nazaroff et al. describes a system "for purchasing media features for programming transmissions" (col. 1, lines 48-50). The system may include "a user interface from which a viewer selects an upgraded media feature" (col. 1, lines 55-59), such as the user interface shown in FIG. 5. However, Shah-Nazaroff focuses on how an upgraded media feature is provided to the user after a media feature is selected from the user interface (see the flow chart in FIG. 4), instead of how the user interface itself is presented.

The Examiner rejected independent claims 1, 21, 41, and 61 under 35 U.S.C. 102(e), contending that Shah-Nazaroff teaches all of the elements in these independent claims. Applicant respectfully disagrees. In particular, Shah-Nazaroff et al. does not teach or suggest "displaying the on-demand media data from cache in response to a user indication

to access at least the on-demand media data" as recited in independent claims 1, 21, 41, and 61. In fact, Applicant notes that the Examiner does not cite any portion of Shah-Nazaroff et al. in support of the rejection to this element of independent claims 1, 21, 41, and 61 (See Office Action, Page 4, lines 1-3). Further, FIG. 5 of Shah-Nazaroff et al. fails to teach or suggest that the user interface is presented to the user in response to a "user indication."

For at least the foregoing reasons, Shah-Nazaroff et al. fails to teach or suggest all of the elements of independent claims 1, 21, 41, and 61. Therefore, the § 102 Rejection of independent claims 1, 21, 41, and 61 should be withdrawn.

Because claims 2-20, 22-40, 42-60 and 62-79 depend from, and are limited by, independent claims 1, 21, 41, and 61 respectively, the § 102 Rejection of these claims should be withdrawn.

III. The § 103 Rejections

The Examiner rejected claims 3, 23, 43, and 63 under 35 U.S.C 103(a) as being unpatentable over Shah-Nazaroff et al. in view of Hofmann. Applicant respectfully disagrees. In view of the remarks with respect to independent claims 1, 21, 41, and 61, the combination of Shah-Nazaroff and Hofmann does not teach or suggest all of the elements of independent claims 1, 21, 41, and 61. Therefore, because claims 2, 23, 43, and 63, depend from and are limited by independent claims 1, 21, 41, and 61, the § 103 Rejection of claims 3, 23, 43, and 63 should be withdrawn.

The Examiner rejected claims 6, 26, 46, and 66 under 35 U.S.C 103(a) as being unpatentable over Shah-Nazaroff et al. in view of Matthews. Applicant respectfully disagrees. In view of the remarks with respect to independent claims 1, 21,

Appl. No. 09/974,666
Reply dated January 25, 2007
Reply to Office Action of August 25, 2006

41, and 61, the combination of Shah-Nazaroff and Matthews does not teach or suggest all of the elements of independent claims 1, 21, 41, and 61. Therefore, because claims 6, 26, 46, and 66, depend from and are limited by independent claims 1, 21, 41, and 61, the § 103 Rejection of claims 6, 26, 46, and 66 should be withdrawn.

The Examiner rejected claims 8, 9, 13, 28, 29, 33, 48, 49, 53, 68, 69, and 73 under 35 U.S.C 103(a) as being unpatentable over Shah-Nazaroff et al. in view of Banker. Applicant respectfully disagrees. In view of the remarks with respect to independent claims 1, 21, 41, and 61, the combination of Shah-Nazaroff and Banker does not teach or suggest all of the elements of independent claims 1, 21, 41, and 61. Therefore, because claims 8, 9, 13, 28, 29, 33, 48, 49, 53, 68, 69, and 73, depend from and are limited by independent claims 1, 21, 41, and 61, the § 103 Rejection of claims 8, 9, 13, 28, 29, 33, 48, 49, 53, 68, 69, and 73 should be withdrawn.

The Examiner rejected claims 10, 30, 50, and 70 under 35 U.S.C 103(a) as being unpatentable over Shah-Nazaroff et al. in view of Lett. Applicant respectfully disagrees. In view of the remarks with respect to independent claims 1, 21, 41, and 61, the combination of Shah-Nazaroff and Lett does not teach or suggest all of the elements of independent claims 1, 21, 41, and 61. Therefore, because claims 10, 30, 50, and 70, depend from and are limited by independent claims 1, 21, 41, and 61, the § 103 Rejection of claims 10, 30, 50, and 70 should be withdrawn.

The Examiner rejected claims 11, 12, 31, 32, 51, 52, 71, and 72 under 35 U.S.C 103(a) as being unpatentable over Shah-Nazaroff et al. in view of Lewis. Applicant respectfully disagrees. In view of the remarks with respect to independent

claims 1, 21, 41, and 61, the combination of Shah-Nazaroff and Lewis does not teach or suggest all of the elements of independent claims 1, 21, 41, and 61. Therefore, because claims 11, 12, 31, 32, 51, 52, 71, and 72, depend from and are limited by independent claims 1, 21, 41, and 61, the § 103 Rejection of claims 11, 12, 31, 32, 51, 52, 71, and 72 should be withdrawn.

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The Examiner rejected claims 16, 36, 56, and 76 under 35 U.S.C 103(a) as being unpatentable over Shah-Nazaroff et al. in view of Rosin. Applicant respectfully disagrees. In view of the remarks with respect to independent claims 1, 21, 41, and 61, the combination of Shah-Nazaroff and Rosin does not teach or suggest all of the elements of independent claims 1, 21, 41, and 61. Therefore, because claims 16, 36, 56, and 76, depend from and are limited by independent claims 1, 21, 41, and 61, the § 103 Rejection of claims 16, 36, 56, and 76 should be withdrawn.

The Examiner rejected claims 17, 37, 57, and 77 under 35 U.S.C 103(a) as being unpatentable over Shah-Nazaroff et al. in view of Hooper. Applicant respectfully disagrees. In view of the remarks with respect to independent claims 1, 21, 41,

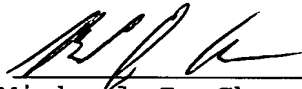
Appl. No. 09/974,666
Reply dated January 25, 2007
Reply to Office Action of August 25, 2006

and 61, the combination of Shah-Nazaroff and Hooper does not teach or suggest all of the elements of independent claims 1, 21, 41, and 61. Therefore, because claims 17, 37, 57, and 77, depend from and are limited by independent claims 1, 21, 41, and 61, the § 103 Rejection of claims 17, 37, 57, and 77 should be withdrawn.

IV. Conclusion

Applicant respectfully submits that this application is in condition for allowance. Reconsideration in light of the foregoing amendment and remarks are respectfully requested.

Respectfully submitted,



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